

REMARKS

Claims 20-39 are pending in this application.

By this Amendment, independent claim 20 is amended to recite additional features disclosed in the specification at, for example, Fig. 1. Claims 20-24 are amended for clarity. Claims 20-23, 25-28, 38 and 39 are amended to replace "means" with structural terms. No new matter is added. Reconsideration of the application is respectfully requested.

The Office Action rejects claims 20-39 under 35 U.S.C. §103(a) over U.S. Patent No. 5,749,970 to Fukuta in view of U.S. Patent No. 4,728,539 to Gane. This rejection is respectfully traversed.

The Office Action admits that Fukuta does not disclose that the smoother has a smoothing plate and a sheet-like elastic body, as recited in claim 1. However, the Office Action asserts that Gane discloses such additional features at col. 3, line 52 - col. 4, line 14, and at col. 2, lines 7-45. The Office Action further asserts that one of ordinary skill would have been motivated to combine Gane's elastic element with Fukuta's device to render obvious the subject matter recited in the claims. This assertion is unreasonable for at least the following two reasons.

First, it appears unreasonable for the Office Action to assert the combination of Gane with Fukuta. In particular, Fukuta discloses a vertically situated columnar structural body that is to be coated. See Fig. 1. The columnar structural body rotates around a vertical axis. On the other hand, Gane discloses a horizontally situated steel roll 2. See Fig. 1 and col. 4, lines 27-40. The steel roll 2 rotates around a horizontal axis. Based on our understanding, the horizontal axis in Gane is a requirement, not an option, because the coating composition 9 must be held by the flexible blade 5. See col. 4, lines 41-56. Otherwise, the coating composition 9 would fall off.

Claim 1 explicitly recites the "vertical" feature. Thus, if the device in Fukuta is asserted to correspond to the features recited in claim 1, Fukuta's columnar structural body must remain vertical. One of ordinary skill would not have had any reason to combine Gane's flexible blade 5 into Fukuta's device, because Gane's flexible blade is required to work with a horizontally oriented steel roll so that the coating composition 9 does not fall off.

Second, even if Gane is combined with Fukuta, these two references do not disclose that "the coating material is supplied to and coated on the outer peripheral surface through the elastic body," as recited in claim 1. In particular, Fukuta does not disclose an elastic member, as discussed above and admitted in the Office Action. Gane discloses a flexible blade 5. However, the coating material (the coating composition 9) is not supplied to the surface of the steel roll 2 through the flexible blade 5. Instead, the composition 9 is already in contact with the steel roll 2 before being smoothed by the flexible blade 5. In other words, in Gane, the coating composition 9 is not delivered to the steel roll 2 by way of the flexible blade 5. Thus, Gane does not disclose the above-quoted feature recited in claim 1.

To expedite prosecution, independent claim 20 is amended to recite additional features. In particular, claim 20 is amended to recite that "the coating material is delivered by the elastic body from the supplying and coating mechanism to the outer peripheral surface of the pillar structure." Fukuta and Gane clearly do not disclose or render obvious the subject matter recited in claim 20, as amended.

In view of the above, the applied references do not disclose or render obvious the subject matter recited in independent claim 20. Claims 21-39 are also patentable at least in view of the patentability of claim 20, from which they depend, as well as for additional features they recite. Accordingly, withdrawal of the rejection of claims 20-39 under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 20-39 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

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